
Site Address: Former Wessex, 8 New Lane, Havant
Proposal: Variation of Condition 22 of planning permission APP/15/01425
(Residential development comprising 41 one and two bed apartments with associated car parking, cycle and refuse storage, following demolition of existing buildings) to vary approved plans relating to alterations to ground levels in regard to land contamination remediation.

Application No:	APP/17/00575	Expiry Date:	04/09/2017
Applicant:	REL Winchester Ltd		
Agent:	PLC Architects	Case Officer:	Daphney Haywood
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the edge of Havant Town Centre, occupying a plot on the corner of New Lane and Eastern Road and totalling 0.33ha. The immediate locality includes two and three storey housing of varying sizes, styles and ages, commercial building and yard to the east and a cemetery to the north. A grade 2 listed railway signal box lies some 45m to the southwest and the railway line to the south. The immediate locality characteristically includes two and three storey housing of varying sizes.
- 1.2 The site which includes a small number of industrial buildings along with workshop premises for a vehicle repairs company was formerly used as a Gas Works and more recently, Fuel Storage and Waste Transfer operation. Subsequent to the cessation of the latter, the land has been in use for storage of materials relating to the building trade and in use for the service and repair of motor vehicles. .

2 Planning History

02/50472/005 - County Matters application for improvement of waste transfer and recycling facility, construction of new building, REF,28/11/2002
99/50472/004 - Retention of vehicular access to Eastern Road, PERM,28/10/1999
94/50472/002 - Two storey store & replacement office extension. (Readvertised), PERM,08/12/1994
92/50472/001 - Erection of radio communications transmission tower with aerial (minimum 30 metres high) to replace existing mast., PERM,18/03/1993
07/50472/006 - Construction of 49No. 1 and 2 bedroom apartments in 3No. 3 and 4 storey blocks; associated car parking; cycle and bin stores. New access to Eastern Road following demolition of existing buildings., REF,26/02/2008
08/50472/007 - Construction of 44No. 1 and 2 bed. flats in 3No. 3 storey blocks, associated car parking, cycle and bin stores, new access to New Lane, following demolition of existing buildings. (Revised application.), NPW,28/01/2010
APP/12/00748 - Retention of signage at 8 New Lane, including 5No. fascia and 3No. boarding and other signs., SPL,24/09/2012
APP/12/00749 - Change of use of workshop from B1/B8 use to B2 use. Change of use of Havant Cabs Office from B1 to Sui Generis. Retention of whip radio aerial. Retention of 2No. air conditioning condenser units. (Part Retrospective.),

PERM,30/07/2013

APP/15/01425 - Proposed residential development comprising 41 one and two bed apartments with associated car parking, cycle and refuse storage, following demolition of existing buildings (Approved 07.07.16). Request to Discharge Condition 9

(11.01.17), PERM,07/07/2016

APP/17/00046 - Geo Environmental Site Assessment, UNK,

3 Proposal

Variation of Condition 22 of planning permission APP/15/01425 (Residential development comprising 41 one and two bed apartments with associated car parking, cycle and refuse storage, following demolition of existing buildings) to vary approved plans relating to alterations to ground levels in regard to land contamination remediation.

The proposed development comprises 3 apartment buildings, which would sit adjacent to the sites western and northern boundaries. Blocks B and C would be three storey and Block A would include an element of 4 storey development accommodating 2 flats. Access into the site would be from Eastern Road via an undercroft entrance within Block A on the sites northern boundary. This would lead to a landscaped parking court for 41 vehicles.

The front facades comprise elevations of facing brick with white painted render panels which benefit from contrasting brick banding details. The building would sit beneath a slate effect roof. The upper floor flats are contained within the roof space; light into these units would be via arched, lead cheeked dormer windows.

The Revisions proposed under the current application have been submitted in respect to contamination issues and involve a raising the ground floor level by approx 600mm so as to minimise excavation of contaminated materials.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
HB3	(Havant and Bedhampton Mixed Use Allocations)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Public sewer is located within footpath on New Lane. New development appears to be within 3m of this sewer Consult southern water

Means of escape will be an issues if windows from adjacent dwellings affect escape route from block of flats nearest railway

Carrying of waste to bins appears excessive max allowed is 30m (not including vertical drops)

If fire authority vehicles to go around back turning point to be provided in accordance with AD B5

Points of extraction of flues unknown

Block of flats nearest railway elevation facing railway might have excessive glazing regarding to boundary location boundary. Confirmation of boundary distance away needed

If Building Regulation application made further issues might arise

officer comment - the siting is a previously approved

Developer Services, Southern Water

Comments of previous response dated 03/02/2016 are unchanged and remain valid for the amended details.

Environment Agency, Romsey Depot

The changes in site levels should not be a problem providing that all the relevant pre-occupation conditions regarding contamination are under taken and resolved accordingly.

FAO Housing Needs Manager, Housing Needs Manager

No comments to make on this application as it appears to be concerned with ground levels and landscaping and does not alter the type and number of the residential units.

FAO Landscape Team, Technical Services

We have concerns relating to the establishment and success of the planting of trees into the raised beds and in particular beds no. 1 and 2. The raised bed detail indicates a width of roughly 1.5 – 1.8m for the root system, at this width we have concerns relating to the success of the proposed species *Betula utilis*. At maturity a *Betula utilis* will require a far more substantial area for roots to grow and allow the tree to survive. Furthermore the maintenance required to get the trees to establish within raised beds would need to be considered within the management plan (e.g watering during dry spells) . It would be preferable to plant species trees and spread them out within the raised bed.

- We are also conscious of the issues that will be caused for those who have to park next to the raised planters within the car park. The 800mm height of the raised beds would make a problem with people hitting the raised bed with their car door and/or try issues with access/egress.

- We will need clarification as to what the green areas are adjacent to the raised beds and buildings.

We will need to see further detailing on the proposed material choice for the raised beds to understand how they will sit within the landscape.

Revised proposal

Officers Note: The plans have been amended as follows

- all the planters have now been moved back from the parking spaces by 200mm
- all *Betula Utilis* trees replaced by *Sorba Aria*
- all trees spaced out in beds 1 & 2
- Height of raised planters amended
- notes added re sleepers and grass
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Comments on amended plans:-

Having reviewed the revised plan I can confirm that I have no further comments.

FAO Mr P Marshall, Development Engineer

It is not clear if the change of levels has any effect on the required construction of the footway along New lane

Comments on additional information

I am happy with the assurance that the levels will not affect the design of the required footway.

FAO Waste Strategy Team Leader, Community Group

No comments received

Environmental Health

I have reviewed the application & revised proposed plans. I note that the reported reason for the application is due to contamination remediation. I also note that the EA has declined to comment as the Agency did not request condition 22.

On this point, it appears that the Environment Agency has either not made the technical connection between the present application and the 7 no. contamination related conditions that were requested at the consultation stage for APP/15/01425, or is applying a very strict protocol to the making of a response (placing the onus on the LPA, or indeed, the applicant - to make- & address- that connection).

For clarity; conditions requested by the Environment Agency at the original application consultation were as follows;

☐ *No commencement prior to approval of a scheme contamination investigation & risk assessment (c.2)*

☐ *No commencement prior to approval of a preliminary risk assessment, site*

investigation, results of site investigation & detailed risk assessment, scheme for mitigation and verification of mitigation works (c.1)

☐ *No occupation prior to the submission & approval of a verification report(c.3)*

☐ *Requirement that the LPA be notified upon discovery of any previously unidentified contamination, and that it's assessment & treatment is subject to approval of the LPA (c.4)*

☐ *No infiltration drainage for surface water management (c.5)*

☐ *No piling to be permitted without express approval of LPA, which shall not be given unless a the results of an appropriate piling risk assessment are favourable (c.6)*

☐ *Proper decommissioning of any investigative trial holes / monitoring wells (c.7)*

Environmental Health has no material objection to the approval of the amended plans as submitted, but I would like to make some comments by way of qualification, and in the interests of clarity with respect to our position on the scheme for contamination remediation.

At this stage no remediation method statement has been approved, and both Environmental Health & the Environment Agency objected to the discharge of c.9 parts 2-4 on the basis of insufficient information being provided in submitted documentation, and as the remediation method statement both lacked technical detail & apparently failed to address potentially significant pollutant linkages, resulting in no site betterment.

Approval of the current application could be taken as implicit approval of the clearly intended remedial strategy of vertical encapsulation by means of a clean cover. I would like to make it clear that this is not the case, and were this to be the remedial strategy put forward (in isolation), I would consider that number of pertinent issues would remain outstanding.

For example, ground level raising still fails to address risks to controlled waters issues, or lateral containment. It would also fail to either treat or remove any contamination from the site, and would therefore result in no site betterment - mobile contaminants would remain on site, and no provision put in place to retard future migration.

Any approval of the amended plans for the raising of land & buildings under this application would have no bearing on the acceptability or otherwise of an RMS yet to be submitted pursuant to c.9 (parts 2-4), and should not therefore be taken as tacit approval of a clean cover solution to address the contamination issues at the site.

Cover system

I would also like to make some comments for the benefit of the applicant with respect to the depth of cover proposed, and the landscape amendments.

I note the extensive proposed use of raised beds / planters in addition to the +0.6m ground level raising, indicating that the intention is that root systems of landscape specimens should not penetrate contaminated strata.

It is not clear from the plans whether a soil mixing separation geotextile & no-dig warning & mechanical protection mesh are proposed - perhaps more detail is to follow in submissions under c.9. I would however point out that planters are provided for in relation to hedging - probably unnecessary given the +0.6m level raising proposed. As regards trees, some additional depth is likely to be required, but needn't necessarily be achieved by means of raised planters - tree pits could be constructed to finish at the proposed finished ground level at +0.6m AEGL to provide the necessary clean growing medium.

Similarly, it does not necessarily follow that a soil cover system would raise the building internal floor levels, and therefore the ridge height by an equivalent-, or indeed any-amount.

If these features have been proposed solely for the purpose of accommodating the contamination remediation mitigation strategy, it would appear to me to be a potentially expensive solution, with an unnecessarily impact upon the built form of the completed development. It would also appear to be an oddity to seek approval of the proposed ground levels prior to establishing the acceptability of the remedial scheme.

If these features (stepped access, access ramps, and raised planters) have been specified for overriding architectural reasons (etc.), that is of course the applicants prerogative.

As is stated above, I have no material objections to the raising of ground levels, elevation of openable windows, the use of raised beds, or the extensive use of raised hedging - these factors arguably serve to improve the mitigation of potential air quality impacts on future residents of the development associated with proximity of habitable rooms to traffic queuing (with idling engines) at the level crossing.

officer note - agent advised of comments

Local Lead Flood Authority HCC, Hampshire County Council

The condition to be varied on this appears to apply to land contamination. If there are no amendments to surface water drainage then we have no further comment.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 10

Number of site notices: one

Statutory advertisement: 16/06/2017

Number of representations received: 0

[illegible]

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Summary:

Comment:

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the streetscene and the character of the area
- (iii) Impact upon residential amenity
- (v) Affordable Housing

(i) Principle of development

7.2 The principle of a residential development on this site has been established through Policy H07, although only part of the site is coming forward for development through this application. The site is also within the urban area of Havant and so is supported by policies CS17 of the Core Strategy and AL2 of the Allocations Plan. Policy CS9 of the Core Strategy states that planning permission will be granted for housing proposals that will “achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services”. Given that the site is adjacent to Havant station, with very frequent services as well as to Havant Town Centre and potential employment opportunities immediately to the north, it is considered that the proposed density is appropriate for the site. Furthermore, policy DM11 supports the development of sites close to amenities and services such as this. As such, the development of the site for a high density residential schemes is supported in principle.

(ii) Impact upon the streetscene and the character of the area

7.3 The surrounding area is of mixed character including 2 storey housing, commercial development, and the cemetery, with 3 storey flats on the south (town centre) side of the railway. The proposed mansard design, with its relatively restrained and formal treatment of the façade and use of traditional brick and render construction and proportions, results in a building that would complement the surrounding development. The introduction of a fourth storey to part of block A provides a focal point for the development, addressing the street corner. The raised ground floor level has been designed to complement the form of the building and the increase in height on this corner location, adjacent the railway and commercial development, in the form proposed would not appear visually detrimental and overall the development is considered to enhance the character of the area.

7.4 The current application in addition to details of the levels includes details of external material, hardsurfacing and boundary treatment, however, further details are required in respect to the treatment for the dormers and the boundaries and hence these conditions (modified) have been re-imposed.

(iii) Impact upon residential amenity

- 7.5 The main impact relates to the properties on the opposite side of New Lane. The level of separation is considered to provide a satisfactory relationship and the proposed increase in height and associated bulk is not considered to result in unacceptable loss of privacy or outlook to neighbouring residential properties. The elevation of openable windows associated with the raised floor level, the use of raised beds and raised hedging could potentially improve the mitigation of potential air quality impacts on future residents of the development associated with proximity of habitable rooms to traffic queuing (with idling engines) at the level crossing.
- 7.6 The existing and previous uses of the site by commercial operators involved a high level of traffic movements by heavy vehicles. The traffic associated with the proposed development would involve light vehicles such as cars as opposed to commercial vehicles and would result in an improved environment for existing residential properties.

(iv) Highways implications and footway provision

- 7.7 The traffic associated with the proposed development would involve light vehicles such as cars as opposed to commercial vehicles. The proposed continuous 2m wide footpath on New Lane, and closing of the vehicle access adjacent to the level crossing, would be beneficial to pedestrian and vehicle users of the highway alike and is to be the subject of a grampian condition to ensure the work is done prior to occupation and the developer will need a S278 Agreement under the Highways Act to carry out the works on the highway.
- 7.8 The submitted plans provide 41 No. parking spaces equating to 1 space per unit. The site is in an accessible location in close proximity to both the Town Centre and the Railway Station and this level of provision is acceptable. In addition, secure cycle parking would be provided. In respect to any need for a TRO, as the proposal provides an appropriate level of parking for this central location and any current issues regarding on street parking such as school traffic/commuters do not result from the proposed development it would not be appropriate to require the current proposal to fund a TRO.
- 7.9 The proposed works are considered acceptable in respect to highway safety and amenity.

(v) Land contamination, drainage and noise / vibration/pollution issues

- 7.10 The site has previously been occupied by contaminating uses and a geo-environmental report has been prepared for the site. The ground contamination assessment indicates a likelihood that a significant pollutant linkage will exist on this site and the Environmental Health Officer, The Environment Agency, Portsmouth Water, Southern Water and the Lead Local Flood Authority have been consulted and recommended conditions in respect to contamination and drainage.
- 7.11 Due to the contaminated nature of the site, SUDS is not appropriate and a Drainage Strategy is required which will need to be agreed in association with the relevant consultees.

Affordable Housing

- 7.12 Policy CS9 of the Core Strategy would normally require provision of 30 to 40% affordable housing on new development sites (or a contribution equivalent) unless it is transparently justified on viability grounds that such provision would jeopardise the delivery of the scheme. Application APP/15/014245 was supported by a viability report which was independently assessed, and it was concluded that to require affordable housing either by way of on site provision or a contribution would not be appropriate and is highly likely to prevent the site coming forward for residential development.

CIL and Ecology

- 7.13 On the 20 February 2013, the Havant Borough Council approved the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule took effect from the 1st August 2013. The required payment for the development is based on the approved floor space and is £80 per square metre plus indexing and the agent has been informed.
- 7.14 The application has also been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1) (a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA). Furthermore the development is not necessary for the management of the SPA. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project (SRMP) at a scale of £181 per dwelling (net) (plus monitoring and administration fees). Subject to securing this mitigation package in the form of a contribution the level of mitigation provided is considered sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. As such, an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.
- 7.15 It has been confirmed that the SRMP contribution has been received and therefore there is no impediment to the granting of planning permission on ecological grounds.

8 Conclusion

- 8.1 The development of this site, because of its location in close proximity to the railway line and previous history of contaminating uses, poses a number of issues. The proposals for the site are considered to make good use of the site in a form that addresses the site issues and enhances the visual amenities and character of the area. The proposed development has been designed in accordance with the National Planning Policy Framework and relevant policies contained within the Havant Borough Core Strategy and SPD. The application proposes a sustainable solution which seeks to respect and improve the character and appearance of the local area.
- 8.2 The revised plans to incorporate raised floor levels are considered not to prejudice the overall design of the development and to have a limited and acceptable impact on the amenities of the nearby properties, and approval is recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00575

subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

15.2094.110 Rev P6 Proposed Site Plan,
15.2094.100 Rev P5 Proposed Ground Floor Plan, Block A,
15.2094.101Rev P4 Proposed First Floor Plan, Block A,
15.2094.102RevP4 Proposed Second Floor Plan, Block A,
15.2094.103RevP5 Proposed Third Floor Plan, Block A,
15.2094.104RevP4 Proposed Ground Floor Plan, Block B,
15.2094.105RevP4 Proposed First Floor Plan, Block B,
15.2094.106RevP4 Proposed Second Floor Plan, Block B,
15.2094.107RevP4 Proposed Ground Floor Plan, Block C,
15.2094.108RevP4 Proposed First Floor Plan, Block C,
15.2094.109RevP5 Proposed Second Floor Plan, Block C,
15.2094.112-P5 Proposed Elevations
15.2094.150 RevP2 Proposed hard and soft landscaping, Boundary wall treatment and Proposed levels

Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted shall commence until binding arrangements are in place for the closure of the existing accesses to the site and construction of the proposed access and the off site highway works comprising a 2m wide kerbed footway (to local highway authority standards) on the east side of New Lane extending from the northern side of the railway crossing to meet the existing footway at the north western corner of the site (as shown on the submitted drawing No.15.2094.110 Rev P6)

NB: In order to construct these works the developer will need to enter into a Section 278 agreement with the Highways Authority

Unless otherwise agreed in writing by the Local Planning Authority, all of these works shall be completed, in full accordance with such plans, particulars and programme as have been approved in writing by the Local Planning Authority in consultation with the Highway Authority, prior to the occupation of any dwellings on the site.

Reason: To ensure that the required highway improvements are provided and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011. Also to ensure the safety of cyclists and pedestrians and having due regard to policy CS20 of the Havant Borough

- 4 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 5 Construction of the development shall not commence until details of the proposed means of foul sewerage disposal including measures to protect public sewers have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved details.
Reason: In order to secure satisfactory foul water disposal from the site, and having due regard to Policies CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 No development hereby permitted nor any related site clearance shall commence until a Construction Environmental Method Statement recognising the risk of pollution including turbidity, and how that will be addressed has been submitted and approved in writing by the local planning authority. This shall include consideration of any surface water runoff generated during the contaminated land investigation and construction phase of the development, and measures to control and prevent pollution to groundwater (including storage of fuels and/or lubricants). The development shall thereafter be carried out in accordance with the approved details.
Reason: The site lies within the groundwater Source Protection Zone 1c for the Havant and Bedhampton Springs, a critical public drinking water supply. Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.
- 7 Infiltration systems for surface water disposal shall not be used for this development. Prior to the commencement of development, details of a surface water strategy including the proposed means of surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water, the Environment Agency, the Local Lead Flood Authority and Portsmouth Water. The scheme shall include details of pollution prevention measures to be incorporated and inspection, maintenance and monitoring procedures and arrangements; and the details shall include a schedule of operational and preventative maintenance for surface water drainage structures, pumps, or separators required for either a) the proper operation of the system to its design flow rates, or b) for the

effective retention of pollutants to prevent downstream release. Parties responsible for observing the maintenance plan shall be clearly identified within the plan, and the plan shall be implemented as approved.

Reason: The site lies within the groundwater Source Protection Zone 1c for the Havant and Bedhampton Springs, a critical public drinking water supply. The full geological sequence underlying the site is unknown, with borehole logs indicating sandy horizons; these permeable sandy horizons may allow for shallow groundwater flow towards the Havant and Bedhampton springs, or provide preferential pathways to the deeper principal aquifer found at greater depth. Drinking water supplies are at risk from any pollutants which enter the ground, including increased turbidity. The applicant needs to demonstrate that the surface water drainage scheme will protect groundwater and drinking water supplies in accordance with National Planning Policy Framework paragraph 109, and Havant Borough Local Plan (Core Strategy) 2011 policy DM10 whilst also protecting the surface water environment.

- 8 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the risks associated with the proposed means of undertaking groundworks and construction shall be submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An assessment of the local geological succession, sufficient to determine whether the principal aquifer (Source Protection Zone 1c) falls within the likely vertical range of proposed excavations or foundations (including piling);

2) The result of an appropriate assessment of risks based upon (1) in relation to proposed construction depths, methods & materials. Where potentially unacceptable risks are identified, a risk-based appraisal of construction method options and clearly defined proposals for mitigation of the identified risks;

3) Contractors method statement(s) in accordance with mitigation proposals (2); and

4) Where deemed necessary, a scheme to appropriately monitor the impact of construction activity upon groundwater and/or surface waters, including details in respect of necessary stakeholder liaison.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: The site lies within the groundwater Source Protection Zone 1c for the Havant and Bedhampton Springs, a critical public drinking water supply. Deep excavations, boring, piling or any other foundations using penetrative methods can result in risks to potable supplies both from turbidity, and by creating migration pathways for pollutants &/or contaminants. It must therefore be demonstrated that the proposed construction methods will not result in any unacceptable adverse impacts upon controlled waters. The condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM10 and the National Planning Policy Framework 2012.

- 9 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the

risks associated with the contamination of the site whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

1. A preliminary risk assessment which has identified:

- a. All previous uses
- b. Potential contaminants associated with those uses and identification and characterisation of any other physical contamination on or affecting the site
- c. A conceptual model of the site indicating sources, pathways and receptors
- d. Potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. appropriately considered remedial objectives;

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency actions

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons Information provided in support of the planning application indicates that the site's previous uses include the town gas works and other industrial uses. As a result of these uses contamination is likely to be present which may pose a risk to groundwater and surface water. The site lies within the groundwater Source Protection Zone 1c for the Bedhampton and Havant springs, a public water supply. Preferential pathways could cause contamination to migrate downwards towards the Chalk (a principal aquifer) and pollute drinking water supplies. The information contained in the study report (reference 15214/DS) has been provided is sufficient to identify all sources, however, the desk study and preliminary risk assessment needs to be reviewed prior to the intrusive investigation strategy being developed. Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 10 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 9 above shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that

site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”). The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies within the groundwater Source Protection Zone 1c for the Havant and Bedhampton Springs, a critical public drinking water supply. Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons Information provided in support of the planning application indicates that the sites previous uses include the town gas works and other industrial uses. There is concern that as a result of these uses contamination is likely to be present which may pose a risk to groundwater and surface water. The site lies within the groundwater Source Protection Zone 1c for the Bedhampton and Havant springs, a public water supply. Preferential pathways could cause contamination to migrate downwards towards the Chalk (a principal aquifer) and pollute drinking water supplies. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 12 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority in consultation with Portsmouth Water, which may be given for those parts of the site where it has been demonstrated through:-

- a piling risk assessment undertaken by competent consultants identifying anticipated depths for each pile for the proposed development, with the piling risk assessment being shared with Portsmouth Water for consultation;
- Associated geotechnical site investigation that confirms the maximum depth of anticipated piles (e.g. 1m below the maximum pile depth) does not enter the Chalk that makes up the principal aquifer;

- Submission, approval and implementation of a piling method statement detailing how potential risks will be minimised.

that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies within the groundwater Source Protection Zone 1c for the Bedhampton and Havant springs, a public water supply. Preferential pathways could cause contamination to migrate downwards towards the Chalk (a principal aquifer) and pollute drinking water supplies. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 13 Prior to occupation of any part of the permitted development, any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be decommissioned in accordance with a scheme to be agreed with the Local Planning Authority. Boreholes which need to be retained post-development for monitoring purposes must be securely locked, protected and inspected in accordance with a monitoring and maintenance plan which must be agreed with the Local Planning Authority.
Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework and having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.
- 14 The landscaping scheme shall be completed in full accordance with the submitted details in the first planting season follow first occupation of the development hereby approved. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 15 Notwithstanding the submitted details no part of the development shall be first occupied until details of the type, siting, design and materials and a plan to

include the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new walling, railing and/or fencing or other type of enclosure and associated gates to be used in the construction of all means of enclosure have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and or occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 A suitable fresh air ventilation system shall be installed within all residential units within Block C that include opening windows or balconies on the Western facade*. The system shall;

- i) draw external fresh air from inlets positioned in accordance with the approved plans, or from alternative positions located at an equivalent or greater distance from the kerbside of New Lane.
- ii) be compliant with CIBSE & HVCA recommendations, and of sufficient capacity to provide adequate ventilation to each residential unit with all openings (windows & doors) closed, and;
- iii) be installed in accordance with manufacturers recommendations, at a location that is accessible for servicing and maintenance

The manufacturers operating instructions & maintenance recommendations shall be provided to the purchaser / resident, and the system shall be fully commissioned & operational prior to first occupation of each relevant unit

* - Ground Floor units 1, 2 & 3; First Floor units 4, 5 & 6 & Second Floor unit 7 & 8 (as shown on drawing no's 15.2094.107 rev. P4, and 15.2094.108 rev. P4 and 15.2094.109 Rev P5 respectively)

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 to protect future occupants from locally elevated concentrations of Nitrogen Dioxide (NO₂) that may result from the regular occurrence of southbound traffic queuing at the railway crossing.

- 17 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the dormers to the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local

Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 The window glazing and ventilation measures proposed within the 'Airtight & Noisecheck Ltd' Acoustic testing report shall be fully complied with prior to occupation and maintained thereafter.

Reason: To safeguard the amenities of the future occupiers of the property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 Prior to the commencement of above ground construction works a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include a named travel officer and the arrangements for the provision and display of bus/train timetables, taxi numbers and car hire information in the public areas, together with details of implementation and monitoring in accordance with the aims and objectives of reducing reliance on the private motor vehicle by modal shift to other more sustainable forms of modal travel.

The approved Travel Plan shall be implemented and monitored in accordance with the approved details and for each subsequent occupation of the development thereafter maintained and developed to the satisfaction of the Local Planning Authority.

Reason: To encourage sustainable means of travel and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

- 20 The car and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 21 The hardsurfacing shall be completed in full accordance with the submitted details prior to first occupation of the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.